

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jeffrey L. Bailey and
Marlon E. Carter,

Case No. 20-cv-1238 (DWF/TNL)

Plaintiffs,

v.

**CASE MANAGEMENT
ORDER**

First Transit Inc. *et al.*,

Defendants.

This matter comes before the Court on a number of motions: Defendants Troy Gustafson and Teamsters Local 120's "Motion to Dismiss Plaintiff's [sic] Second Amended Complaint" (ECF No. 15); Defendants First Transit Inc., First Group America Inc., First Student Inc., The Metropolitan Council, Don Johnson, and Tim Ogren's "Motion to Dismiss" (ECF No. 26); Plaintiffs Jeffrey L. Bailey and Marlon E. Carter's "Motion to Deny Defendants Teamsters Local 120 & Troy D. Gustafson [sic] Motion to Dismiss" (ECF No. 33); and Plaintiffs Jeffrey L. Bailey and Marlon E. Carter's "Motion to Deny 'Defendants' First Transit Inc., Don Johnson, First Group America Inc., Metropolitan Council, Tim Ogren, First Student Inc. [sic] Motion to Dismiss" (ECF No. 38). These motions have been referred to the undersigned for a report and recommendation pursuant to 28 U.S.C. § 636. (ECF No. 4.)

Briefing on Defendants' motions (ECF Nos. 15 and 26), shall occur as follows:

- 1. Plaintiffs' responses are due on or before November 17, 2020.**

2. Defendants' replies are due on or before December 1, 2020.

Briefing on Plaintiffs' motions (ECF Nos. 33 and 38), shall occur as follows:

1. Defendants' responses are due on or before November 17, 2020.

2. Plaintiffs' replies are due on or before December 1, 2020.

Thereafter, these four motions will be deemed submitted and the Court will issue its report and recommendation based on the papers, without a hearing.

Failure to comply with any provision of this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like, including without limitation: assessment of costs, fines and attorneys' fees and disbursements; waiver of rights to object; exclusion or limitation of witnesses, testimony, exhibits and other evidence; striking of pleadings; complete or partial dismissal with prejudice; entry of whole or partial default judgment; and/or any other relief that this Court may from time to time deem appropriate.

IT IS SO ORDERED.

Date: October 26, 2020

s/Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

Bailey et al. v. First Transit Inc. et al.
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